

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In re: Chitra Sethuraman
Debtor

Chapter 13
Bankruptcy No. 19-10096-mdc

loanDepot.com, LLC, or its Successor or Assignee
Movant

vs.

WILLIAM C. MILLER, Esq., Trustee
Chitra Sethuraman
Respondents

**MOTION OF LOANDEPOT.COM, LLC, OR ITS SUCCESSOR OR ASSIGNEE FOR RELIEF FROM
AUTOMATIC STAY UNDER §362(a)**

Movant: loanDepot.com, LLC, or its Successor or Assignee

Mortgage dated December 21, 2012 and recorded on January 4, 2013 in the Office of the Recorder of Philadelphia County under Instrument No. 52581075.

Assignment of Mortgage dated November 16, 2016 and recorded on November 17, 2016 in the Office of the Recorder of Philadelphia County under Doc ID No. 53138235.

1. loanDepot.com, LLC, or its Successor or Assignee (hereinafter "Movant") holds a claim secured by a duly recorded Mortgage on property of Chitra Sethuraman, or of the bankruptcy estate located at: 7448 Rhoads Street, Philadelphia, Pennsylvania 19151.

2. Chitra Sethuraman (hereinafter "Debtor") filed a Petition under Chapter 13 on January 7, 2019.

3. As of July 23, 2020, the Mortgage requires payments each month of \$885.84.

4. Movant has not received regular mortgage payments and lacks adequate protection of its interests.

5. Debtor is in default of post-petition payments to the present date from May 1, 2019.

6. The total amount of the post-petition arrearage as of July 23, 2020 is \$13,198.77. This figure is broken down as follows:

- One (1) delinquent payment in the amount of \$898.07 for the month of May, 2019
- Twelve (12) delinquent payments, each in the amount of \$877.42, for the months of June 2019 through May 2020.
- Two (2) delinquent payments, each in the amount of \$885.84, for the months of June 2020 through July 2020.
- Less suspense balance of \$0.02

7. Since July 23, 2020, Movant has incurred attorneys' fees in connection with this Motion.

8. Movant does not have and has not been offered adequate protection for its interest in said premises and may be required to pay expenses for said premises in order to preserve its lien, which is the obligation of the Debtor under said Mortgage.

9. Movant specifically requests permission from the Honorable Court to communicate with the Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law

WHEREFORE, Movant prays for an order modifying the automatic stay of Bankruptcy Code §362(a) to permit Movant to exercise applicable state court remedies with respect to the mortgage property and for such relief as this Court deems necessary and appropriate.

/s/ Ann E. Swartz, Esquire
ANN E. SWARTZ, ESQUIRE ID# 201926
LAUREN M. MOYER, ESQUIRE ID # 320589
Attorney for loanDepot.com, LLC
123 South Broad Street, Suite 1400
Philadelphia, PA 19109
Telephone: (215) 790-1010
Facsimile: (215) 790-1274
Email: ecfmail@mwc-law.com